

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

LIBERTY INS. CORP.,

Plaintiff,

v.

Civ. No. 18-117 GJF/CG

BLAKE J. BOLLEMA, et al.,

Defendants.

ORDER TO SHOW CAUSE


THIS MATTER is before the Court *sua sponte*. The Court has received consent to sit as the presiding judge in this case from Plaintiff and from Defendants Gabriel Granado, Shelly Chavarria Granado, and Eduardo Grado. Each of these Defendants is represented by Adrian O. Vega, Esq. Unfortunately, Plaintiff also sued Defendant Blake J. Bollema, whom Mr. Vega does *not* represent.

According to the docket sheet, Plaintiff served Mr. Bollema in March 2018 [ECF No. 5]. Mr. Bollema has not filed an answer and no attorney has entered an appearance in this case on his behalf. Moreover, Plaintiff has not sought default against Mr. Bollema. The case against him, therefore, appears to have stagnated.

Before the Court can grant the Stipulated Motion of Dismissal with Prejudice [ECF No. 15], one of two events must occur: (1) Mr. Bollema needs to file a consent pursuant to Federal Rule of Civil Procedure 73(b)(1); *or* Plaintiff can voluntarily dismiss its complaint against him without the need for a court order, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Until either of those events occur, the Court is not authorized to enter the order granting the stipulated dismissal.

IT IS THEREFORE ORDERED that, not later than September 26, 2018, Plaintiff shall voluntarily dismiss its complaint against Defendant Bollema, seek default against him, or otherwise take steps to prosecute the action against him.

IT IS SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE